

MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE
SUITE 3W8
LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899
FACSIMILE (516) 328-0082

January 24, 2024

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Pamela K. Chen, U.S.D.J.
225 Cadman Plaza East
Courtroom 4F North
Brooklyn, NY 11201-1804

Re: IME WatchDog, Inc. v. Gelardi, *et al.*
Case No.: 1:22-cv-1032 (PKC) (JRC)
MLLG File No.: 25-2022

Dear Judge Chen:

This office represents the Plaintiff IME WatchDog, Inc. ("Plaintiff") in the above-referenced case.

Plaintiff writes to respectfully request an extension of time, until Friday, February 9, 2024, to submit its reply letter in further support of its motion for attorneys' fees.

Good Cause Exists to Grant an Extension of Time to File Plaintiff's Opposition Papers

Consistent with ¶ 1(G) of this Court's Individual Practices and Rules, Plaintiff respectfully submits that: (i) the current deadline to file reply papers is tomorrow, January 25, 2024 pursuant to Local Civil Rule 6.1(b)(3); (ii-iii) there have been no previous requests for an extension of time concerning this deadline; (iv) Defendants consent on the condition that they may file a sur-reply on or before February 19, 2024, to which Plaintiff does not object; and (v) the requested extension does not affect any other scheduled Court appearance or deadline to Plaintiff's knowledge.

The reason for the request is because your undersigned was traveling out of the country from Thursday, January 18, 2024 until Monday, January 22, 2024 and needs additional time to prepare a reply due to same and the necessary catch-up that ensues upon a return to the office from traveling.

Accordingly, sufficient good cause exists and excusable neglect exists to warrant an extension of time of the Plaintiff's reply papers notwithstanding this Court's requirement to request any extension of a filing deadline at least two (2) working days prior to the filing deadline. See Fed. R. Civ. P. 6(b)(1)(B); see also ¶ 1(G) of this Court's Individual Practices and Rules.

Plaintiff thanks this Court for its time, attention, and anticipated courtesies in this case.

Dated: Lake Success, New York
January 24, 2024

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Emanuel Kataev, Esq.

Jamie S. Felsen, Esq.
Emanuel Kataev, Esq.
3000 Marcus Avenue, Suite 3W8
Lake Success, NY 11042-1073
(516) 328-8899 (office)
(516) 328-0082 (facsimile)
jamiefelsen@mllaborlaw.com
emanuel@mllaborlaw.com

*Attorneys for Plaintiff
IME WatchDog, Inc.*

VIA ECF

Warner & Scheuerman
Attn: Jonathan D. Warner, Esq.
6 West 18th Street, 10th Floor
New York, NY 10011-4602
(212) 924-7111 (telephone)
(646) 692-0166 (direct dial)
(212) 924-6111 (facsimile)
jdwarner@wslaw.nyc

*Attorneys for Defendants
Third-Party Plaintiffs
Safa Abdulrahim Gelardi
Vito Gelardi, and
IME Companions LLC*

VIA ECF

Abrams Fensterman, LLP
Attn: Melanie I. Weiner, Esq.
1 MetroTech Center, Suite 1701
Brooklyn, NY 11201-3831
(718) 215-5300 (office)
(718) 215-5304 (facsimile)
mweiner@abramslaw.com

*Attorneys for Defendants
Gregory Elefterakis,
Roman Pollak, and
Anthony Bridda*

VIA ECF

Leo Shalit, P.C.
Attn: Leo Shalit, Esq.
45 Glen Cove Road
Greenvale, NY 11548
(833) SHALIT-1 (office)
(646) 957-0009 (direct)
(833) 742-5481 (facsimile)
leo@shalit-law.com

*Attorneys for
Third-Party Defendant
Carlos Roa*

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. James R. Cho, U.S.M.J.
225 Cadman Plaza East
Courtroom 11D South
Brooklyn, NY 11201-1804